

1 The Honorable Brian A. Tsuchida
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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14

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 v.
18 JEROME A. CARUTHERS,
19 aka "Rome,"
20 Defendant.
21

No. MJ20-457

22 COMPLAINT FOR VIOLATIONS
23 18 U.S.C. §§ 922(g)(1), 924(a)(2), 2
24 26 U.S.C. §§ 5861(d), 5871
25

26 BEFORE the Honorable Brian A. Tsuchida, United States Magistrate Judge,
27 United States Courthouse, Seattle, Washington.

28 **COUNT 1**

(Felon in Possession of a Firearm)

On or about July 17, 2020, in Federal Way, within the Western District of Washington, JEROME A. CARUTHERS, aka "Rome," knowing he had previously been convicted of crimes punishable by imprisonment for a term exceeding one year, to wit:

- 24 a. *Criminal Mischief – Deadly Weapon*, from Pierce County Superior Court,
25 cause number 15-1-00981-0, dated June 2, 2015;
- 26 b. *Assault Second Degree (Domestic Violence)*, from King County Superior
27 Court cause number 11-1-07793-1, dated March 12, 2012;

1 did knowingly possess, and did aid and abet the possession of, a firearm, to wit: a Glock,
2 model 43, 9mm caliber semi-automatic pistol, serial number BASR044, which had been
3 previously shipped and transported in interstate and foreign commerce.

4 All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2),
5 and 2.

6 **COUNT 2**

7 ***(Felon in Possession of Ammunition)***

8 On or about July 17, 2020, in Federal Way, within the Western District of
9 Washington, JEROME A. CARUTHERS, aka "Rome," knowing he had previously been
10 convicted of crimes punishable by imprisonment for a term exceeding one year, to wit:

11 c. *Criminal Mischief – Deadly Weapon*, from Pierce County Superior Court,
12 cause number 15-1-00981-0, dated June 2, 2015;

13 d. *Assault Second Degree (Domestic Violence)*, from King County Superior
14 Court cause number 11-1-07793-1, dated March 12, 2012;

15 did knowingly possess, and did aid and abet the possession of, ammunition, to wit:
16 twelve (12) rounds of "CBC" (Companhia Brasileira de Cartuchos) 9mm caliber
17 ammunition, and one (1) round of Federal .40 S&W caliber ammunition, which had been
18 previously shipped and transported in interstate and foreign commerce.

19 All in violation of Title 18, United States Code, Section 922(g)(1), 924(a)(2),
20 and 2.

21 **COUNT 3**

22 ***(Possession of an Unregistered NFA Firearm)***

23 On or about July 17, 2020, in Federal Way, within the Western District of
24 Washington, JEROME A. CARUTHERS, aka "Rome," did knowingly possess, and did
25 aid and abet the possession of, an unregistered firearm that was required to be registered
26 in the National Firearms Registration and Transfer Record, to wit: a 9mm semi-
27 automatic AR-variant rifle with no located identifying markings or serial number, *on*
28 *the receiver.* *BL 7/22/20*

1 All in violation of Title 26, United States Code, Sections 5845(a)(3), 5861(d) and
2 5871, and Title 18, United States Code, Section 2.
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4 The undersigned Complainant, being duly sworn, hereby deposes and says as
5 follows:

6 **TRAINING AND EXPERIENCE**

7 1. I, Brian Arnold, am a Special Agent (SA) with the Bureau of Alcohol,
8 Tobacco, Firearms and Explosives (ATF) and have been so employed since 2015. I have
9 completed the Criminal Investigator Training Program, ATF Special Agent Basic, ATF
10 Firearms Interstate Nexus, ATF Undercover Operations, and Crime Gun Intelligence
11 Expert training. During my tenure as a Special Agent with the ATF, I have had the
12 opportunity to serve as the lead case agent on federal criminal cases primarily
13 investigating violent crime to include firearms, explosives, and narcotics offenses. I have
14 also directly participated in additional federal criminal cases in a support capacity. As
15 the lead case agent, and also as a supporting agent, I have been involved in, and routinely
16 engage in, conducting interviews, executing federal and state search warrants, recovering
17 evidence of federal crimes, conducting covert surveillance operations, and conducting
18 arrest operations. Through this experience and training, and based upon the experience
19 of other Special Agents which have been relayed to me, I have become familiar with the
20 modus operandi of narcotic dealers and narcotic traffickers and illegal possessors of
21 firearms and ammunition as enumerated herein.

22 2. I have been involved in an investigation, which is the subject of this
23 Affidavit. Due to my personal participation in this investigation and reports made to me
24 by other Special Agents and other Law Enforcement Officers, I am familiar with the facts
25 and circumstances surrounding the investigation. My training and experience as a
26 Special Agent, including participation in this investigation, form the basis for the
27 opinions and conclusions set forth below. This Complaint is being presented by reliable
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electronic means pursuant to Federal Rule of Criminal Procedure 4.1 and Local Criminal Rule CrR 41(d)(3).

3. Because this Complaint is submitted for the limited purpose of establishing probable cause in support of the charge herein, it does not set forth each and every fact that I or others have learned during the course of this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that defendant JEROME A. CARUTHERS, aka "Rome," committed the offenses of Felon in Possession of a Firearm and of Ammunition, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2) in addition to possession of an unregistered NFA firearm in violation of Title 26, United States Code, Sections 5861(d).

INVESTIGATION AND PROBABLE CAUSE

4. On July 16, 2020, a federal search warrant (MJ20-5169) for the residence of Jerome “Rome” CARUTHERS, located at 4214 SW 315th Street, Federal Way, Washington 98023, was authorized by United States Magistrate Judge J. Richard Creatura. That search warrant was executed by ATF and assisting law enforcement, including affiant SA Arnold, on the morning of Friday, July 17, 2020.

5. Upon executing the search warrant, multiple people were found to be inside the residence. Defendant CARUTHERS was not present, but his young son and the child's mother were among those inside.

6. Jerome A. CARUTHERS has been convicted as an adult of felony crimes, each of which are punishable by over one year, including:

- *Criminal Mischief – Deadly Weapon* (Class C Felony), from Pierce County Superior Court, cause number 15-1-00981-0, dated June 2, 2015
- *Assault Second Degree (Domestic Violence)* (Class B Felony), from King County Superior Court cause number 11-1-07793-1, dated March 12, 2012

According to his NCIC criminal history printout, CARUTHERS received custodial sentences of 84 days and 43 months, respectively, for the above felony convictions.

1 7. The search of the above residence on July 17, 2020 also resulted in the
 2 recovery of evidence that included the following. From the master bedroom closet,
 3 agents recovered indicia of occupancy for defendant CARUTHERS, to include a Social
 4 Security card, a paper bag labeled in his name and date of birth, and shipped boxes
 5 labeled with his name and the address. Also in that same master bedroom closet, agents
 6 found and seized a 9mm semi-automatic AR-variant rifle that had no located identifying
 7 markings or serial number on the receiver. This appears to be a short-barreled rifle and
 8 therefore is a “firearm” (codified at Title 26, United States Code, Section 5845(a)(3)).
 9 The rifle also had a threaded barrel that could be used to accept a silencer, but did not
 10 have anything currently attached. Also in the same closet, inside a black backpack, was a
 11 tactical helmet marked “POLICE” in the front with a name on the back of it, as well as a
 12 black gas mask hanging in the closet. Subsequent investigation confirmed that the helmet
 13 (and possibly the backpack and gas mask) were stolen from a police officer in a car prowl
 14 in November 2018. Also in the master bedroom, on the nightstand on the left of the bed
 15 were items including University of Washington Medical Center discharge papers for
 16 Jerome CARUTHERS showing an admission date of July 10, 2020, and a Netspend debit
 17 card bearing the name “JEROME CARUTHERS.” Also seized from the master
 18 bedroom, from the floor near the same left side nightstand, was one (1) live round of
 19 distinctive ammunition with a red tip (bullet) and bearing a head stamp labeled as “CBC”
 20 and “9mm Luger.” On the nightstand to the right of the bed there were items including
 21 an extended Glock magazine with one (1) Federal .40 S&W caliber live round loaded in
 22 it. There was also medical paperwork with CARUTHERS’ name and date of birth on it
 23 found on the right side nightstand. There were also some indicia items in/on the
 24 nightstands and in the bedroom for other persons and/or that was not further identified.
 25 However, CARUTHERS had numerous personal indicia items in the master bedroom and
 26 closet that based on my training and experience clearly demonstrated that this was his
 27 room. More ammunition of various calibers were also located in the master bedroom and
 28 closet.

1 8. In the living room area of the house, on the same floor of the two-story
 2 residence as the master bedroom, agents found and seized a Glock, model 43, 9mm
 3 caliber semi-automatic pistol, serial number BASR044. This pistol was found to have
 4 previously been reported stolen to police. The pistol was found unloaded near a pistol
 5 magazine that contained eleven (11) rounds of red-tipped (bullet) CBC 9mm caliber
 6 ammunition matching the round that was found on the floor near the nightstand in the
 7 master bedroom. The pistol was laying on top of an upside down credit/debit type card
 8 that was not further identified and was near a cellphone; all of these items were stuffed
 9 under the back cushions of a couch in the living room.

10 9. M.C., the mother of defendant CARUTHERS' young son, and a resident of
 11 the house who occupied the master bedroom, was interviewed by ATF SA Vavilin. She
 12 initially claimed that just her and her kids lived there and denied that CARUTHERS lived
 13 there, but said he came there after he got out of the hospital and left last month. She said
 14 her room was in the upstairs room to the right facing the backyard (the master bedroom).
 15 She said she was not aware of anything illegal such as drugs or firearms in the residence.
 16 She said she was not a felon. When asked if CARUTHERS was a felon, she said she was
 17 pretty sure he was on DOC (Department of Corrections supervision). She denied that
 18 there were any guns in her house before, that she had seen CARUTHERS with any guns,
 19 or that she was aware of CARUTHERS having any guns now. Later during the search of
 20 the residence, M.C. was asked about the firearm found in the master bedroom closet. She
 21 replied that she did not know that it was there. When further asked to whom it belonged,
 22 she made statements to the effect that she could say it was his (CARUTHERS') because
 23 it was in her closet and her closet fell a while ago and she had not picked the stuff up.
 24 When asked who owned it, she said it was probably "Rome's" (CARUTHERS'), but that
 25 she did not know because it was not hers. When asked about any other firearms owned
 26 by CARUTHERS, she said that she was not aware of any. She also said that some of the
 27 ammunition was hers because she goes target shooting with her friends. However, she
 28 said she does not shoot guns like that (the rifle) because she is scared, and that she shoots

1 other persons' guns at the range because they are registered at the range. She mentioned
2 other friends of CARUTHERS, including Jesse SOOCEY, stored stuff in the room.
3 Additionally she said SOOCEY used some of the cars (parked outside) and that
4 SOOCEY was last there right before he went to jail right before Thanksgiving. It should
5 be noted, however, that besides the earlier mentioned indicia of occupancy, numerous
6 items of men's clothing appearing to be the right size for defendant CARUTHERS
7 remained in the master bedroom closet. Additionally, several cars believed to belong to
8 him, including a Cadillac registered to CARUTHERS, were also still parked at the house.
9 It should also be noted that M.C. was additionally interviewed by ATF SA Hansen. She
10 told him that she did not like guns and that she did not like them to be around the kids.
11 She specifically denied knowledge of the Glock pistol, and named another adult male and
12 female (who were present at the time of the search) as having sat on the couch where the
13 Glock pistol was found.

14 10. I am an ATF firearms and ammunition interstate nexus expert and
15 examined the above-referenced ammunition with the head stamp "CBC" (Companhia
16 Brasileira de Cartuchos) "9mm Luger" and "Federal 40 S&W" markings. Based on my
17 training and experience as an interstate nexus expert, it is my opinion that the above
18 ammunition was manufactured outside the State of Washington and had traveled in
19 interstate or foreign commerce prior to being found in Washington on July 17, 2020. I
20 also examined the above-referenced Glock model 43 handgun, and determined that it
21 constitutes a "firearm" as defined by federal law under the Gun Control Act (codified at
22 Title 18 of the United States Code). Based on my training and experience as an interstate
23 nexus expert, it is my opinion that the above firearm was manufactured outside the State
24 of Washington and therefore had traveled in interstate or foreign commerce prior to being
25 found in Washington on July 17, 2020.

26 **CONCLUSION**

27 11. Based on the foregoing facts, I respectfully submit there is probable cause
28 to believe that JEROME A. CARUTHERS, aka "Rome," committed the crimes of *Felon*

1 *in Possession of a Firearm, Felon in Possession of Ammunition, and Possession of an*
2 *Unregistered NFA Firearm*, in violation of Title 18, United States Code, Sections
3 922(g)(1), 924(a)(2), and 2, and Title 26, United States Code, Sections 5845(a)(3),
4 5861(d), and 5871.

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6
7 *Brian Arnold*
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9 BRIAN ARNOLD, Special Agent
10 Bureau of Alcohol, Tobacco, Firearms,
11 and Explosives

12 The above-named agent provided a sworn statement attesting to the truth of the
13 contents of the foregoing Affidavit on July 22, 2020, and based on the sworn
14 Complaint and Affidavit, the Court hereby finds that there is probable cause to believe
15 JEROME A. CARUTHERS committed the offenses set forth in the Complaint.

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17 Dated this 22 day of July, 2020.

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29 HONORABLE BRIAN A. TSUCHIDA
30 United States Magistrate Judge